

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

City of Rochester v. Purdue Pharma, L.P.,
No. 19-op-45853 (Track 12)

Lincoln County v. Richard S. Sackler, M.D.,
No. 20-op-45069 (Track 13)

City of Independence, Missouri v. Williams,
No. 19-op-45371 (Track 14)

*County of Webb, Texas v. Purdue Pharma,
L.P.*, No. 18-op-45175 (Track 15)

MDL NO. 2804

Case No. 17-MD-2804

Judge Dan Aaron Polster

**OPTUMRX, INC.'S CONSENT MOTION FOR EXTENSION OF TIME AND TO
EXCEED PAGE LIMITATIONS FOR ITS RESPONSE TO PLAINTIFFS' AND PEC'S
SUR-REPLY REGARDING OPTUMRX'S MOTION TO DISQUALIFY MOTLEY RICE**

In accordance with Local Rule 7.1, OptumRx, Inc. respectfully requests five additional pages and a two-day extension of time for its forthcoming response to Plaintiffs' and PEC's sur-reply regarding OptumRx's motion to disqualify Motley Rice—expanding the page limit from fifteen pages (*see* Local Rule 7.1(f)) to twenty pages and extending the deadline from Monday, March 4, 2024 to Wednesday, March 6, 2024.

On February 20, 2024, Plaintiffs and the PEC filed a motion for leave to file a sur-reply, declarations, and other materials (115 pages total) in further opposition to OptumRx's motion to disqualify. Dkt. 5320. The same day, the Court granted the motion in a text-only order. *See* Feb. 20, 2024 text-only order.

On February 21, OptumRx moved for reconsideration of the Court's order granting Plaintiffs and the PEC leave to file their sur-reply and alternatively moved for leave to file a response to the sur-reply. Dkt. 5322. The next day, the Court denied the motion for reconsideration but granted OptumRx leave to file a response to the sur-reply by Monday, March 4. *See* Feb. 22, 2024 text-only order.

On March 1, Plaintiffs and the PEC filed a notice of supplemental authority regarding a recent ABA formal ethics opinion and provided argument about the application of that opinion to OptumRx's motion to disqualify. Dkt. 5338.

Given Plaintiffs' and the PEC's voluminous, 115-page sur-reply materials as well as its more recent notice of supplemental authority (filed on the Friday before OptumRx's Monday deadline), OptumRx requests a modest enlargement of the page limit (five additional pages for a total of twenty pages)* for its response to the sur-reply and a modest extension of time (two additional days up to and including March 6, 2024) to file its response.

On March 1, 2024, OptumRx conferred with PEC about the proposed page expansion and extension of time. The PEC consents to OptumRx's request.

March 1, 2024.

Respectfully submitted,

/s/ Brian D. Boone

* This Court has granted numerous requests for page extensions in the MDL. *See, e.g.*, July 17, 2018 text-only order granting Cardinal's motion to exceed page limits; January 10, 2019 text-only order granting Ohio Board of Pharmacies' motion to exceed page limits; January 23, 2019 text-only order granting Endo's motion to exceed page limits; Dkt. 832 (granting pharmacies' motion for page extension); January 7, 2020 text-only order granting NAS plaintiffs' motion to exceed page limits; October 5, 2020 text-only order granting Defendants' motion to exceed page limits; November 13, 2020 text-only order granting NAS plaintiffs' motion to exceed page limits; Dkt. 5274 (granting OptumRx and Plaintiffs an expansion to 20 pages for opening and response briefs); January 31, 2024 text-only order granting OptumRx's motion to exceed page limits for its reply brief supporting its motion to disqualify.

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CERTIFICATE OF SERVICE

I certify that on March 1, 2024, a copy of the foregoing was served on all counsel of record by filing the same with the Court's ECF system.

/s/ Brian D. Boone
Brian D. Boone